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Promotion and protection of human rights

Letter dated 3 July 2013 from the Permanent Representative of the Plurinational State of Bolivia to the United Nations addressed to the Secretary-General

It is with profound indignation that I draw your attention, and through you that of the States Members of the United Nations, to a gross violation of international law and of the personal safety and freedom of movement of Mr. Evo Morales Ayma, President of the Plurinational State of Bolivia.

After attending the second summit meeting of the Gas Exporting Countries Forum, held in Moscow, Russian Federation, on 1 and 2 July, President Morales set out on the return flight to Bolivia on board the presidential aircraft FAB-001, having obtained all the necessary clearances for passage through the airspace of the countries along the route.

However, when the aircraft was already in flight, a few minutes before it was to enter French airspace, the French Republic announced the withdrawal of the overflight clearance it had previously granted. The Portuguese Republic took the same decision, withdrawing both the overflight clearance for the presidential aircraft and permission to land for refuelling.

The Kingdom of Spain initially decided that overflight by the aircraft and subsequent landing in the Canary Islands would be permitted, provided that the aircraft could be searched and its passengers checked. Naturally, for reasons of dignity and in accordance with the immunities to which he is entitled under international law, President Morales rejected that condition.

Owing to the clear emergency that was endangering the lives of President Morales, his entourage and the flight crew, the aircraft had to take an alternative route and make an emergency landing at the airport in Vienna, Austria, where it remained for more than 12 hours awaiting the reauthorization of the overflight clearances required to return to Bolivia.

In this regard, I wish to bring to your attention the provisions of international law, primarily the Vienna Convention of 1961, which explicitly sets out the immunities and privileges granted to State representatives, as well as other provisions which establish that Heads of State are internationally protected persons

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and that States have an obligation to take all appropriate measures in order to prevent any attack on the person, freedom or dignity of internationally protected persons.

The Plurinational State of Bolivia considers that, in addition to the gross violation of applicable international law, which constitutes an infringement of the most fundamental rules of diplomacy by which States are bound, this was also an unjustifiable attack perpetrated against a constitutionally elected President owing to his political positions, which are certainly inconvenient to global Powers that believe they still wield imperial authority over the nations of the world.

For these reasons, we request, through you, that the entire international community take cognizance of and speak out against this attack on the integrity of the Head of a State Member of the United Nations, which clearly demonstrates that the most fundamental rights and freedoms can be subordinated to the interests of a few, to the detriment of the majority.

We call upon the international community to take timely action in order to ensure that these acts do not go unpunished, so as to avoid setting a harmful precedent that could subsequently affect other dignitaries and diplomatic representatives, jeopardizing peaceful coexistence and mutual respect among States.

I should be grateful if you would have this letter circulated as a document of the General Assembly under agenda item 69, without prejudice to any other action that the Plurinational State of Bolivia may take.

(*Signed*) Sacha **Llorentty Soliz**
Permanent Representative